

The Honorable Benjamin H. Settle

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA**

JOHN DOE #1, an individual, JOHN  
DOE #2, an individual, and PROTECT  
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity as  
Secretary of State of State of Washington,  
BRENDA GALARZA, in her official  
capacity as Public Records Officer for the  
Secretary of State of Washington,

Defendants.

NO. 09-cv-05465-BHS

DESIGNATED DEPOSITION  
TESTIMONY OF PASTOR

Redacted

Pursuant to Local Rule 32(e), Defendants Sam Reed and Brenda Galarza, Intervenors Washington Families Standing Together and the Washington Coalition for Open Government and Plaintiffs John Doe #1, John Doe #2, and Protect Marriage Washington (collectively, the “Parties”) hereby submit combined designated deposition testimony for PASTOR Redacted

Redacted.

Defendants and Intervenors object to the admission of any deposition testimony taken of any witnesses who could be called to testify at trial. Therefore, the designations of

1 Defendants and Intervenorors are being submitted in the event that the Court decides to admit  
2 deposition testimony.

3 For the Court's convenience Defendants' designations have been highlighted in blue,  
4 Intervenorors' designations have been highlighted in pink, and Plaintiffs' designations have  
5 been highlighted in yellow. Objections have been noted in the margins. Plaintiffs will be  
6 filing the redacted versions of these documents.

7 DATED this 6th day of September, 2011.

8 ROBERT M. MCKENNA  
9 Attorney General

10 s/ William Clark  
11 WILLIAM CLARK, WSBA #9234  
12 Senior Counsel  
13 800 Fifth Ave, Ste 2000  
14 Seattle, WA 98104  
15 206-464-7352  
16 [BillC2@atg.wa.gov](mailto:BillC2@atg.wa.gov)  
17 ANNE EGELER, WSBA #20258  
18 Deputy Solicitor General  
19 PO Box 40100  
20 Olympia, WA 98504-0100  
21 360-664-3027  
22 [Anneel@atg.wa.gov](mailto:Anneel@atg.wa.gov)  
23  
24  
25  
26

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

---

JOHN DOE #1, an individual; JOHN  
DOE #2, an individual; and PROTECT  
MARRIAGE WASHINGTON,

Plaintiffs,

v.

SAM REED, in his official capacity  
as Secretary of State of Washington;  
BRENDA GALARZA, in her official  
capacity as Public Records Officer  
for the Secretary of State of  
Washington,

Defendants.

No. 09-CV-05456-BHS

---

Deposition Upon Oral Examination  
Of

PASTOR [REDACTED]

---

Taken by: Tracey L. Juran, CCR  
CCR No. 2699

September 24, 2010

Everett, Washington

Tracey Juran, Certified Court Reporter

APPEARANCES

For Protect Marriage Washington:

Stephen Pidgeon, Attorney at Law  
3002 Colby Avenue, Suite 306  
Everett, Washington 98201-4081

For the Defendants:

Anne E. Egeler, Deputy Solicitor General  
Attorney General of Washington  
1125 Washington Street SE  
P.O. Box 40100  
Olympia, Washington 98504-0100

For Washington Families Standing Together:

Ben Stafford, Attorney at Law  
Perkins Coie  
1201 Third Avenue, Suite 4800  
Seattle, Washington 98101-3099

## INDEX

Page No.

## EXAMINATION

|                 |    |
|-----------------|----|
| By Ms. Egeler   | 5  |
| By Mr. Stafford | 29 |
| By Mr. Pidgeon  | 39 |
| By Ms. Egeler   | 50 |
| By Mr. Stafford | 60 |
| By Mr. Pidgeon  | 63 |
| By Ms. Egeler   | 67 |

## EXHIBITS MARKED

|   |    |
|---|----|
| No. 1 (1-page double-sided printout from the Washington Secretary of State's Web site [Redacted] [Redacted] )                                 | 6  |
| No. 2 (1-page double-sided printout from the Protect Marriage Washington Web site [Redacted] [Redacted] )                                     | 12 |
| No. 3 (1-page printout from the Public Disclosure Commission's Web site labeled "Advanced Search Detailed Contributions" showing [Redacted] ) | 14 |
| No. 4 (2-page double-sided Public Disclosure Commission Cash Receipts Monetary Contributions form [Redacted] )                                | 14 |

## INDEX, continued

Page No.

## EXHIBITS MARKED, continued

|  |    |
|--|----|
| No. 5 (1-page printout from the<br>Public Disclosure Commission's Web<br>site labeled "Advanced Search<br>Detailed Contributions" showing<br>Redacted<br>) | 16 |
| No. 6 (1-page Public Disclosure<br>Commission Cash Receipts Monetary<br>Contributions form Redacted<br>)   | 17 |
| No. 7 Redacted   |    |
| No. 8 (2-page printout of an Email<br>exchange between Redacted and<br>Sarah Troupis dated August 19,<br>2009)   | 19 |

1 Be it remembered that the deposition upon oral  
2 examination of Pastor [Redacted] was taken on  
3 September 24, 2010, at the hour of 8:56 a.m. at 3501  
4 Colby Avenue, Suite 200, Everett, Washington, before  
5 Tracey L. Juran, CCR, Notary Public in and for the State  
6 of Washington residing at Edmonds, Washington.

7 Whereupon the following proceedings were had,  
8 to wit:

9 \* \* \* \* \*

10 PASTOR [Redacted], having been first duly sworn on  
11 oath by the Notary Public to tell  
12 the truth, the whole truth, and  
13 nothing but the truth, was deposed  
14 and testified as follows:

14 EXAMINATION

15 BY MS. EGELER:

16 Q. Good morning, Pastor [Redacted].

17 A. Morning.

18 Q. My name is Anne Egeler and I am with the state Attorney  
19 General's Office, and I represent Sam Reed and the  
20 defendants in the Doe v. Reed case.

21 Before we begin, I wanted to outline a few simple  
22 rules for depositions. We're being transcribed by our  
23 court reporter, Tracey, and it's important that we make  
24 her life easy, and we can do that by not speaking over  
25 each other. So if we can make sure that the other

1 person finishes what they're saying before the next  
2 person speaks, that will help her to get an accurate  
3 transcript.

4 Also, when we're talking, it's important to use yes  
5 or no rather than a head shake or an mm-hm sound,  
6 because those things don't show up on our transcript  
7 either, okay?

8 A. Okay.

9 Q. And then finally, it's important that we understand each  
10 other, of course. So if at any point what I'm saying  
11 isn't making sense to you or is confusing for any  
12 reason, please stop me and ask me to clarify. All  
13 right?

14 A. Very good.

15 Q. Pastor, can you tell me what your current employment is.

16 A. I serve as pastor for [Redacted]  
[Redacted].

18 MS. EGELER: Okay, and I have an exhibit here which  
19 our court reporter will mark as Exhibit 1 to the  
20 deposition.

21 [Off the record - discussion]

22 [Exhibit 1 marked for identification]

23 MS. EGELER: I believe while we were off the  
24 record, Mr. Pidgeon noted that he has no objection.

25 Q. (by Ms. Egeler) Do you have a copy of Exhibit No. 1 in



1 front of you?

2 A. I do.

3 Q. This is a page -- according to the bottom of this sheet,  
4 printed page from the Secretary of State's Web site and  
5 it has information regarding [REDACTED] Redacted

6 [REDACTED]. Is the church, to your knowledge, Pastor, a  
7 registered nonprofit with the State of Washington?

8 A. It is.

9 Q. And can you look at this registration information and  
10 see if that agrees with your understanding.

11 A. That is what I understand.

12 Q. And, in fact, would you have been the person who filed  
13 this information with the Secretary of State?

14 A. Most likely. It has been done by a secretary at times,  
15 but I believe that generally I file.

16 Q. And this lists, does it not, that you are the registered  
17 agent for the church?

18 A. It does.

19 Q. And the address contained there under your name, is that  
20 your residential address?

21 A. We share an address with the church. So both the  
22 residential address and the church address are  
23 identical.

24 Q. And that is the address reflected on Exhibit No. 1?

25 A. That's correct.

1 Q. And how long have you been the pastor of [Redacted]  
[Redacted]?

3 A. Eighteen and a half years.

4 Q. Do you have any other employment?

5 A. I do not.

6 Q. Are you aware that you've been named as a witness to the  
7 Doe v. Reed case?

8 A. Yes, I am.

9 Q. And, in fact, you're one of the Doe plaintiffs; correct?

10 A. Correct.

11 Q. Do you know what Doe number you are?

12 A. I do not.

13 Q. Has anybody informed you that being a witness in the  
14 case may require you to publicly testify in federal  
15 court?

16 A. Yes.

17 Q. And would you have any problems with that?

18 A. No.

19 Q. At any time, did you express to anyone that your name  
20 needed to be kept a secret?

21 A. I did not.

22 Q. And does your involvement with Referendum 71 need to be  
23 kept a secret for any reason?

24 A. No, not that I'm thinking of.

25 Q. When did you first become aware of Referendum 71?

1 A. I was aware of its filing right from the beginning.

2 Q. Were you aware before then of the Senate bill that was  
3 the precursor -- excuse me; to the legislative bill that  
4 was the precursor to Referendum 71?

5 A. I was.

6 Q. And did you go to Olympia to testify with respect to  
7 that bill?

8 A. I did not.

9 Q. Did you meet with anyone about Referendum 71 before the  
10 referendum was filed with the Secretary of State?

11 A. No, not to my recollection.

12 Q. So you first became aware of it after it was filed?

13 A. Yes.

14 Q. And who told you about it?

15 A. I'm just guessing that my contact would have been with

16 Redacted.

17 Q. And he attends your church; is that --

18 A. That's --

19 Q. -- correct?

20 A. -- correct.

21 Q. Did he attend in 2009 as well?

22 A. Yes.

23 Q. Did you sign the Referendum 71 petition?

24 A. I did.

25 Q. Do you remember where you were when you signed the

1 petition?

2 A. It was likely at our church.

3 Q. Were Referendum 71 petitions put in public locations at  
4 the church for people to sign?

5 A. Yes.

6 Q. And when people did sign, were their names hidden from  
7 other people that wanted to read the petition or sign  
8 it?

9 A. They were not.

10 Q. Did you speak about Referendum 71 to your parishioners?

11 A. Yes.

12 Q. Did you speak to them during church services about  
13 Referendum 71?

14 A. Yes.

15 Q. What did you say?

16 A. I directly encouraged people to sign the petition  
17 because of this issue dealing with a direct moral issue  
18 that we feel we must be a voice for.

19 Q. And before Referendum 71, had you been speaking publicly  
20 or at church about homosexuality in any way?

21 A. Yes.

22 Q. Well, can you tell me in what respects other than the  
23 domestic-partnership issue and Referendum 71 you  
24 addressed publicly.

25 A. Is that relevant to the R-71 specifically?

1 MR. PIDGEON: I'll make the objection on the basis  
2 of relevance.

3 But go ahead and answer the question.

4 A. Could you restate the question.

5 MS. EGELER: Okay, can you read the question back,  
6 please.

7 [Record read back as requested]

8 Q. (by Ms. Egeler) And by that I mean in what respects did  
9 you address homosexuality publicly or publicly at  
10 church?

11 A. We have been concerned about the advance of the  
12 homosexual agenda broadly.

13 Q. And what is the homosexual agenda?

14 A. To legitimize homosexual relationships in a legal sense.

15 Q. So have you been concerned with respect to the issue of  
16 homosexuality only with legalizing domestic partnerships  
17 between same-sex partners?

18 A. I've been concerned for homosexual relationships  
19 generally as being something that we recognize as being  
20 inappropriate according to God's design and the  
21 revelation of Scripture.

22 Q. So to make sure I'm understanding, you've spoken  
23 publicly against homosexual relations or activity even  
24 outside a legally recognized partnership.

25 A. That's correct.

1 Q. And how long have you taken that stance?

2 A. Throughout my public ministry.

3 Q. And would -- did you speak with regard to homosexuality  
4 generally to your parishioners?

5 A. Yes.

6 Q. And did you speak at any other public location with  
7 regard to homosexuality generally?

8 A. Not that I'm recalling.

9 Q. Did you ever go out and participate in gathering  
10 signatures on the Referendum 71 petitions?

11 A. No.

12 Q. Did you ever publicly hold up a Referendum 71 sign?

13 A. No.

14 Q. Did you have a Referendum 71 sign posted on the church  
15 grounds?

16 A. No.

17 Q. Did you have a Referendum 71 bumper sticker?

18 A. No.

19 Q. Did you publicly endorse Referendum 71?

20 A. Yes.

21 MS. EGELER: Okay, mark this as Exhibit No. 2,  
22 please.

23 [Exhibit 2 marked for identification]

24 Q. (by Ms. Egeler) And --

25 MR. PIDGEON: No objection to this.

1 Q. (by Ms. Egeler) You have in front of you, Pastor,  
2 what's been marked as Exhibit No. 2 to the deposition.  
3 And this, as is reflected at the bottom of the page, is  
4 a page from the Protect Marriage Washington Web site,  
5 and there's a list of names and businesses here that  
6 endorsed Referendum -- the Reject Referendum 71  
7 campaign. And looking down to the third name from the  
8 bottom of that list, do you see your name there?

9 A. Yes.

10 Q. And that's your church as well with your name?

11 A. Yes.

12 Q. Did you authorize Protect Marriage Washington or Larry  
13 Stickney to include your name on a list of those  
14 endorsing Referendum 71?

15 A. Yes.

16 Q. And did you donate money to the Referendum 71 campaign  
17 or to Protect Marriage Washington?

18 A. Yes.

19 Q. Did you know that in compliance with the law, Larry  
20 Stickney was filing the names of all contributors and  
21 the amount they had contributed, as well as their  
22 address, with the Washington State Public Disclosure  
23 Commission?

24 A. Yes.

25 MS. EGELER: Okay, mark this as Exhibit 3, please.

1 [Off the record - discussion]

2 [Exhibit 3 marked for identification]

3 MR. PIDGEON: I have no objection to this exhibit.

4 Q. (by Ms. Egeler) So, Pastor, you have in front of you  
5 what's been marked as Exhibit 3 to your deposition, and  
6 as the Web citation states at the bottom of the page,  
7 this is taken from the Washington State Public  
8 Disclosure Commission's publicly available Web site.  
9 And it states on three lines the names of three  
10 contributors with the name -- last name **Redac**. Do you  
11 see that?

12 A. I do.

13 Q. And do you see your own name?

14 A. Yes.

15 Q. Do you recognize that date and amount as a contribution  
16 you made?

17 A. I wouldn't have remembered it, but I would believe that  
18 to be accurate.

19 Q. And do you see on the far-left side on that line where  
20 your name appears the word "Report"?

21 A. Yes.

22 Q. I'm going to pass out what we'll mark as Exhibit 4 to  
23 your deposition.

24 [Exhibit 4 marked for identification]

25 Q. (by Ms. Egeler) And Exhibit 4 is a two-page document,



1 again, printed from the Public Disclosure Commission's  
2 Web site. It has printing on both sides of each page.  
3 And this is the report that's -- that can be viewed if  
4 you click the word "Report" as shown on Exhibit 3 to the  
5 left of your name.

6 MR. PIDGEON: Okay, I'm going to object to this  
7 exhibit on the basis of relevance.

8 Q. (by Ms. Egeler) Pastor, if you could please flip to the  
9 back of the exhibit, what would be the fourth page of  
10 the form. Do you see your name on this?

11 A. Yes.

12 MR. PIDGEON: Okay, excuse me; objection withdrawn.  
13 I didn't see his name; I'm sorry. I'll admit the  
14 exhibit as Exhibit 4.

15 MS. EGELER: Okay.

16 Q. (by Ms. Egeler) And is that your address, the address  
17 where you reside, and the address of the church?

18 A. Correct.

19 Q. And in addition to making a personal contribution to  
20 Protect Marriage Washington, was a contribution made in  
21 the church's name?

22 A. Yes.

23 Q. And were you responsible for submitting that  
24 contribution?

25 A. No. The contribution was approved by the church council

1 and submitted by the treasurer of the congregation.

2 Q. And did you approve of this or --

3 A. Yes, I did.

4 MS. EGELER: Okay, let's make this Exhibit No. 5 to  
5 the deposition.

6 [Exhibit 5 marked for identification]

7 Q. (by Ms. Egeler) And you have before you a copy of  
8 what's been marked as Exhibit 5 to your deposition and,  
9 again, this is taken from the Washington State Public  
10 Disclosure Commission's Web site, which is publicly  
11 available. Do you see a contribution from Redacted

Redacted listed on the exhibit?

13 A. Yes.

14 Q. And what is the amount of that?

15 A. \$Redacted.

16 Q. And does that comport with your knowledge of the amount  
17 the church donated?

18 A. The church made a donation of \$Red that was matched by a  
19 business on the peninsula for \$Red. So, I believe,  
20 because of -- those two \$Red amounts being put together  
21 reflects the \$Redacted here.

22 Q. Did the business provide the \$Red to the church and then  
23 the church combined the funds and made a donation of  
24 Redacted?

25 A. Not to the best of my knowledge.

1 Q. So the church, to your knowledge, donated \$Red , not  
2 Redacted .

3 A. That is what I understood.

4 Q. And we'll mark as Exhibit No. 6 to your deposition.

5 [Exhibit 6 marked for identification]

6 MR. PIDGEON: No objection.

7 Q. (by Ms. Egeler) And still looking for a moment at  
8 Exhibit No. 5, on the line that notes the contribution  
9 from Redacted , do you see on the  
10 far left the word "Report"?

11 A. Yes.

12 Q. Well, I clicked that and Exhibit 6 is the report that  
13 comes up to show that contribution. Again, this is a  
14 page printed from the publicly available Web site of the  
15 Public Disclosure Commission. And do you see on  
16 Exhibit 6 Redacted 's contribution?

17 A. Yes.

18 Q. And again, do you see the address listed?

19 A. I do.

20 Q. In addition to the financial contribution that you made  
21 to Protect Marriage Washington and speaking from the  
22 pulpit to your parishioners about Referendum 71, did you  
23 take any other action to publicly endorse or be involved  
24 in the Referendum 71 campaign?

25 A. No.

1 Q. Did you go to any meetings about Referendum 71?

2 A. Not that I recall.

3 Q. And were you quoted in the media, print or TV or radio,  
4 as endorsing Referendum 71?

5 A. Not that I recall apart from what we've looked at  
6 already.

7 Q. I understand you experienced what you believe to be  
8 harassment or threats of reprisals as a result of your  
9 support of Referendum 71; is that correct?

10 A. Yes.

11 Q. Let's go through and discuss each of those. It's very  
12 important that we cover every such instance. So I'll  
13 let you begin wherever you would like.

14 A. Okay. I do have notes from those contacts, so I'd like  
15 to refer to those if I can. The first call received at  
16 the church came to my office on July 27th of 2009.

17 Q. I'd like to stop for -- well, stop and ask you a  
18 question first.

19 As part of this deposition, you were asked to bring  
20 with you any electronic or paper documents you have that  
21 evidence the harassment or threats you've received. Did  
22 you take a look and see if you have anything responsive?

23 A. Yes, and I brought what I have.

24 Q. Then I'm going to take a break. If I could please get a  
25 copy of those materials.

1 A. Sure.

2 Q. Did you bring a copy for me?

3 A. I did not.

4 Q. Then I'm going to run over to the copy machine.

5 A. These are --

6 Q. I'll let you --

7 MS. EGELER: Okay, I'll be right back.

8 [Off the record - discussion]

9 [Exhibits 7 and 8 marked for identification]

10 Q. (by Ms. Egeler) Pastor, after that quick break to make  
11 some copies, we now have two more exhibits. Exhibit  
12 No. 7 is a [Redacted] and it is  
13 dated August, no day listed, 2009 and it is a three-  
14 page, single-sided exhibit. And Exhibit No. 8 is a two-  
15 page exhibit that states at the -- in the top-left-hand  
16 corner "Pastor [Redacted]" and is a series of Emails.  
17 Looking at Exhibit -- what -- Exhibit No. 8 to the  
18 deposition, is this what you were referring to when you  
19 began to speak about harassment that you've experienced?

20 A. Yes.

21 Q. And is this all that you were able to find in response  
22 to the subpoena duces tecum?

23 A. Yes.

24 Q. So there's nothing else that would be responsive?

25 A. No.

1 Q. So you were just beginning to tell me about the  
2 harassment that you feel you experienced.

3 A. Yes. And for my own clarity, if I could just read from  
4 my Email here. The first call was received in my office  
5 July 27th, 2009, from an individual who identified  
6 herself as a transgender woman who had previously been  
7 in special forces. The caller remained calm but  
8 persistent in asking why I would want to limit her  
9 rights.

10 After some statements back and forth, the caller  
11 asked how I would like it if a number of friends were  
12 brought to picket the church or to attend a morning  
13 service. I responded that the church is certainly open  
14 to all who wish to come, but that we expect all to  
15 conduct themselves in a way appropriate to a public  
16 worship service. I was assured that that would be the  
17 case.

18 Q. Let's stop and talk about that first instance.

19 Was this individual harassing or threatening in any  
20 way, in your opinion, or did you feel that she was  
21 addressing you respectfully and appropriately in  
22 disagreeing with your position?

23 A. I'd respond, as I note in my next paragraph, the caller  
24 was reserved in tone; however, the spirit was certainly  
25 one of challenge to the appropriateness of my stand.

State Objects: Hearsay. State also objects to EX. 8.

1 The caller certainly also communicated that my stand  
2 justified some kind of retaliatory action on his or her  
3 part, so that I and others who were like-minded will pay  
4 some kind of consequence for the expression of our  
5 stand.

6 Q. And you talked earlier in this description of that phone  
7 call about this individual coming to your church. Do  
8 you think that that was the retaliation that she was  
9 referring to?

10 A. I understood that that could be part of the retaliation.

11 Q. Did she state any other form of retaliation?

12 A. She did not.

13 Q. Did she threaten you with any physical harm?

14 A. She did not.

15 Q. Did she threaten any of your parishioners?

16 A. She did not.

17 Q. Did she threaten any sort of vandalism or damage to you  
18 or the church's property?

19 A. She did not express that. I certainly perceived that as  
20 a possibility.

21 Q. But not because she said that.

22 A. That's correct.

23 Q. And did anyone come to your church after this phone  
24 call?

25 A. No one did.

1 Q. And if they had come, would they have been welcome to  
2 attend service?

3 A. Yes.

4 Q. Did this individual provide her name?

5 A. I believe that the name was stated at that time. I  
6 didn't pick up on it. And I do list a name in  
7 conjunction with the second call.

8 Q. Let's wait before we discuss the --

9 A. Okay.

10 Q. -- second call, because I have some more questions for  
11 you about the first call.

12 A. Okay.

13 Q. At the end of that call, did you call the police?

14 A. I did not.

15 Q. Did you note the phone number of the individual who'd  
16 called?

17 A. I evidently did, because I matched that to the second  
18 call that was received.

19 Q. And why did you not contact the police?

20 A. Evidently didn't think it was appropriate or necessary  
21 at that point.

22 Q. And why did you feel that it was not appropriate or  
23 necessary?

24 A. I'm not sure.

25 Q. Did you feel that this phone call was sufficiently



1 threatening that you needed police protection?

2 A. I didn't feel there was a need for immediate protection  
3 or that the action would be immediate.

4 Q. Have you ever had anyone call you and disagree with your  
5 stance on anything with regard to your personal views or  
6 church views in the time that you've been a pastor?

7 A. I have had people call disagreeing.

8 Q. And do you feel that it's appropriate for people to call  
9 and disagree with you?

10 A. The calls that I've received in the past have been  
11 people that I was personally familiar with, and I  
12 perceived this as being of a different nature, coming  
13 from a stranger.

14 Q. What sorts of things have you had people disagree with  
15 you on in the past?

16 A. I'm not recalling.

17 Q. Within your church, do you ever have any disagreements  
18 amongst people about church decisions?

19 A. I imagine we do. I'm not thinking of disagreements  
20 right now.

21 Q. Have you ever -- do you ever recall someone -- within  
22 the church about a church decision or anything happening  
23 at the church, someone being particularly emotional in  
24 expressing their viewpoint to you?

25 A. Yes.

1 Q. Without revealing that individual's name, because  
2 there's no need to, can you tell me about that.

3 A. I can recall one instance from several years ago  
4 about -- an individual approached me regarding a  
5 differing opinion regarding children, being fruitful and  
6 allowing God to give us the children that he might  
7 desire to give us. So birth control.

8 Q. And what was this individual's viewpoint on birth  
9 control?

10 A. Is that relevant to our discussion?

11 Q. Well, actually, I should probably give you a little  
12 background. During a deposition, I do have liberty to  
13 address a variety of topics that I feel may reveal  
14 relevant evidence. So it's quite a broad scope that can  
15 be explored during a deposition.

16 [Off the record - discussion]

17 A. I go forward?

18 Q. (by Ms. Egeler) Yes, please.

19 A. The individual felt that there should be a more liberal  
20 use of birth control, and my position was that it ought  
21 to be more limited.

22 Q. And by limited, do you mean limited to use by adults?  
23 How do you mean limited?

24 A. Even limited within marriage. That there be a greater  
25 openness to allow pregnancy and receive the children

1           that God might have us to have.

2    Q.    And what was this individual's position?

3    A.    That a person ought to have -- that family size should  
4           be limited.

5    Q.    And was this individual emotional about his position?

6    A.    Yes, he was.

7    Q.    And how did -- in what way was he expressing that  
8           passion?

9    A.    With raised voice and passion.

10   Q.    Does the individual still attend the church?

11   A.    He does not.

12   Q.    And did he stop attending after that discussion?

13   A.    No, he did not.

14   Q.    Did you feel threatened or fearful when he raised his  
15           voice and disagreed with you?

16   A.    I was not comfortable, but I did not feel threatened for  
17           physical harm.

18   Q.    Is that because you knew the individual?

19   A.    That's correct.

20   Q.    And do you think that might be the difference between  
21           this first phone call and this individual that we're  
22           talking about at the church, that this individual at the  
23           church was someone you knew and the person on the phone  
24           was a stranger to you?

25   A.    That would be in part the reason.

1 Q. And what would be the rest of the reason?

2 A. And again, this would be my perception, that there would  
3 be a greater tendency to be violent because of the  
4 issue.

5 Q. Was this first phone call your first opportunity ever to  
6 speak with a transgender individual?

7 A. To my knowledge, yes.

8 Q. And was that a bit odd to you as well?

9 A. Yes.

10 Q. Let's go on to the next call, the second call, which I  
11 believe you state on page 2 of Exhibit No. 8.

12 A. I note here that the second call was on August 12th,  
13 2009, and was received by my secretary while I was out  
14 of the office. I note here as well the caller  
15 identified herself as Krystal Mountaine and called from  
16 the same number as the first phone call. She said that  
17 she would like to talk to the pastor and asked to have  
18 me call, and I chose not to return the call.

19 Q. Was anything else said by Krystal Mountaine?

20 A. Not to my understanding.

21 Q. And when you say what she said during the phone call,  
22 are you taking that from notes that the secretary --  
23 church secretary made?

24 A. That's correct.

25 Q. So you yourself did not hear Krystal Mountaine's

1 message?

2 A. I did not.

3 Q. And have you received any calls since then?

4 A. No.

5 Q. And is -- that listing of the message that the secretary  
6 wrote down from Krystal Mountaine as reflected on page 2  
7 of Exhibit No. 8, is that complete or was anything else  
8 included in the message that you haven't reported here?

9 A. I believe this was complete.

10 Q. So no other phone calls regarding Referendum 71 were  
11 received by you or the church?

12 A. No.

13 Q. These two calls, did they come in on the church's phone  
14 line or your personal home line?

15 A. Church phone line.

16 Q. And correct me if I'm wrong, but I believe you have both  
17 a church phone line and a home phone line at that  
18 address; correct?

19 A. That's correct.

20 Q. Did you receive any mail that related to Referendum 71?

21 A. No.

22 Q. Any other incidents occur that you felt were harassment  
23 or threats of any sort?

24 A. No.

25 Q. Any sort of vandalism at any time of church property?

1 A. No.

2 Q. And after the election on Referendum 71, have you  
3 received any calls, Emails, threats, or harassment of  
4 any sort?

5 A. No.

6 Q. Do you know how Krystal Mountaine would have known that  
7 you had supported Referendum 71?

8 A. I would imagine by referencing the Web site.

9 Q. And what Web site?

10 A. For the Referendum 71, Protect Marriage Washington, that  
11 we have an exhibit from.

12 Q. Did the caller actually state where she got your name or  
13 the church's name?

14 A. Not to the best of my recall.

15 Q. After that phone call, did you ask Larry Stickney or  
16 anyone with Protect Marriage Washington to remove your  
17 name from the Protect Marriage Washington Web site?

18 A. I did not.

19 Q. Why not?

20 A. We -- I feel personally -- or I have strong conviction  
21 regarding the issue in hand and was willing to continue  
22 to do whatever I could.

23 Q. And would it bother you if your signature on the  
24 Referendum 71 petitions was publicly disclosed, given  
25 your public endorsement of the measure?

1 A. That's --

2 MR. PIDGEON: I'm going to object as to the form of  
3 the question.

4 But go ahead and answer.

5 A. I feel like there are two different issues. I have  
6 chosen to publicly identify myself with --

7 Q. (by Ms. Egeler) And I'm just asking about disclosure of  
8 your signature on the petition sheets, you personally.

9 A. I would not object.

10 MS. EGELER: Okay, I have no further questions.

11 Anything?

12 MR. STAFFORD: Yeah.

13

14 EXAMINATION

15 BY MR. STAFFORD:

16 Q. So, Pastor Redac, again, my name is Ben Stafford. I work  
17 at Perkins Coie and I represent Washington Families  
18 Standing Together, which is a coalition of church and  
19 civic organizations dedicated to supporting Senate  
20 Bill 5688 and opposing the placement of Referendum 71 on  
21 the ballot. Are you familiar with that group?

22 A. No, I'm not.

23 Q. So just a few follow-ups.

24 Does your church maintain a Web site?

25 A. Yes.

1 Q. And do you know if your name appears on that Web site?

2 A. I believe it does.

3 Q. And how about an Email address? Would that appear on  
4 the Web site for you?

5 A. There would be a means of Emailing me. I'm not sure if  
6 the physical -- if a visible Email address is there.

7 Q. And would that Web site also list the address of the  
8 church?

9 A. Certainly.

10 Q. And how about the church's phone number?

11 A. Yes.

12 Q. So we talked a little bit about some of the  
13 contributions that you made to Protect Marriage  
14 Washington personally and also ones that your church  
15 made as well. Do you recall that?

16 A. Yes.

17 Q. And so with respect to the church's contribution, you  
18 said that you understood that \$Red had been identified  
19 by the church for a contribution. And what was the  
20 source of that \$Red? Where does the church get its  
21 money?

22 A. It would be from the contributions of the members.

23 Q. And do you pass a collection plate on Sunday? Is that  
24 how you get contributions from members?

25 A. Yes, we do.



1 Q. And contributions from any other sources besides a  
2 collection plate?

3 A. No.

4 Q. And do you recall if the church raised money  
5 specifically for that contribution?

6 MR. PIDGEON: I'm going to object as to the  
7 relevance of this question.

8 But go ahead and answer.

9 A. No.

10 Q. (by Mr. Stafford) So you don't recall one way or  
11 another whether the church raised money specifically for  
12 the contribution?

13 A. I do not believe that the church did raise money  
14 specifically.

15 Q. Understood. Thank you.

16 And you mentioned that a business matched that \$Red  
17 contribution.

18 A. Yes.

19 Q. And how did it come about that that business was  
20 identified to do so? Who spoke with that business?

21 A. I believe I was made aware of that business through  
22 Larry Stickney.

23 Q. And what was the business? What was the name of the  
24 business?

25 A. I don't recall.

1 Q. And do you know if the business gave \$Red to the church  
2 which the church then gave to Protect Marriage  
3 Washington?

4 THE WITNESS: And I apologize, Anne, regarding this  
5 too.

6 A. I'm just trying to think. It may have -- I'm not  
7 recalling exactly. We would have to check something  
8 else to see just what the route of the contribution was,  
9 if it came back to the church so that, in fact, the  
10 church wrote a thousand-dollar check --

11 Q. (by Mr. Stafford) Thank you.

12 A. -- so that it came out that way. I'm not sure.

13 Q. Do you recall attending the Stand Up For Marriage rally?

14 A. Which one?

15 Q. Was there a March 19th rally, 2009, or a rally in  
16 Olympia?

17 A. I did attend a rally in Olympia.

18 Q. And do you recall about when that rally was?

19 A. I have very poor recall apart from notes, so --

20 Q. Would it have been early in the year, middle part of the  
21 year?

22 A. I would imagine it's the rally you're referring to, but  
23 that's as much as I can --

24 Q. And did you speak at that rally?

25 A. I remember praying for a rally. It must have been the

1           one that we're speaking of. You're going to find out  
2           how feeble my brain is.

3    Q.   My recollection beyond a year is quite frightening as  
4           well.

5           So you recall praying that a rally would occur?

6    A.   Yes.

7    Q.   And do you recall whether you attended such a rally?

8    A.   Yes.

9    Q.   And do you recall whether or not you spoke at the rally?

10   A.   I'm imagining that the rally that I'm thinking that I  
11          had an opening prayer for is the rally in question.

12   Q.   And do you remember about how many people attended the  
13          rally, ballpark estimate?

14   A.   Thousands.

15   Q.   Thousands?

16          Tens of thousands, single number of thousands?

17   A.   Single.

18   Q.   And what was the subject of that rally?

19   A.   You know, and I'd feel a little bit -- because of my  
20          cloudiness about the whole incident, I'm feeling a  
21          little bit like I'm maybe speaking beyond my memory.

22   Q.   Certainly, and we want to just make sure that you limit  
23          yourself to what you recall.

24          Do you recall the basic area? Maybe not word for  
25          word what it was about, but the basic subject matter of

1 the rally?

2 A. Yeah, it's only because of the fact that you mentioned  
3 the rally and the title of it that I am remembering that  
4 I did attend a rally. And just as I'm reflecting back,  
5 the focus of that rally would have been to -- regarding  
6 the whole issue of marriage and upholding the sanctity  
7 of marriage.

8 Q. And part of the issue of marriage or the -- upholding  
9 the sanctity of marriage would be the Senate Bill 568  
10 (sic) or the issue of same-sex marriage?

11 A. Yes.

12 Q. And did you express the view, as we've discussed here  
13 today, that marriage should not be extended to same-sex  
14 couples at that rally?

15 A. I didn't address the gathering except for having a  
16 prayer asking for God's blessing on our nation and for  
17 us to uphold righteousness. I don't -- it was not a  
18 written prayer and I don't recall the more specific  
19 content of the prayer beyond that.

20 Q. So your comments at the rally were an opening prayer or  
21 a prayer during the course of the rally.

22 A. That's correct.

23 Q. Thank you. Okay.

24 And we spoke about the call that you received from

25 Krystal Mountaine and -- referring back to the July 27th

1 call. And if you could look at Exhibit No. 8 here.

2 A. Mm-hm.

3 Q. So you mentioned here that there were some statements  
4 back and forth. Do you recall what those statements  
5 were?

6 A. They would have been regarding my stand and what the  
7 basis of that was.

8 Q. And so could you break that down for me further. Did  
9 she ask you a question and then you responded? Do you  
10 recall the words that were used during the call?

11 A. I don't recall the words that were used, but it would  
12 have been to the effect of why I felt that it was  
13 appropriate for me to take a stand on something that she  
14 saw as limiting hers and other people's freedom or right  
15 to do what --

16 Q. And you -- when --

17 A. -- she would choose to.

18 Q. Apologies.

19 And when she asked that, you would describe her  
20 tone as calm?

21 A. And I described it as reserved. I wouldn't say calm, I  
22 would say certainly -- maybe intense is too strong of a  
23 word to use to -- serious, maybe, is a good word, a  
24 good --

25 Q. And so in your notes of the call that we're looking at

1 here on Exhibit 8, you say the caller remained calm.

2 Was that an accurate statement?

3 A. Where did I use that phrase?

4 Q. I'm looking after number 3 at --

5 A. Okay.

6 Q. -- the second line --

7 A. Okay.

8 Q. -- of your response.

9 A. I do see, yes.

10 Q. So in those notes, you do say the caller remained calm?

11 A. Okay. Yes, I do.

12 Q. And when she asked why you felt that you could limit

13 what she saw as her rights, what did you respond?

14 A. Said that my conviction was that God ordained marriage.

15 That God ordained marriage between a man and a woman is

16 not only Scriptural from my standpoint and personal

17 conviction, but also what has been demonstrated through

18 the epic of human history as what's healthy for every

19 society.

20 Q. And how did you -- how did she respond, rather, after

21 you expressed that opinion?

22 A. Just disagreement and that my stand and those that would

23 hold such a position would limit the freedoms of others.

24 Q. And after she said that, how did you respond?

25 A. And that was about as much as we had by way of

1 interchange.

2 Q. And you mentioned earlier that part of what made --  
3 perhaps made you feel uncomfortable about that call was  
4 the fact that this was a stranger. Would -- is that  
5 right?

6 A. Correct.

7 Q. And that, when you had this other experience with the  
8 parishioner who disagreed regarding the birth-control  
9 issue, that part of what made that unthreatening was  
10 that you knew that person.

11 A. That would be part of it.

12 Q. Do strangers have the right to disagree with each other?

13 MR. PIDGEON: Objection as to form.

14 Q. (by Mr. Stafford) In your opinion, do strangers have  
15 the right to disagree with each other?

16 A. They have the right to disagree appropriately.

17 Q. And did you feel that she was disagreeing with your  
18 position in an inappropriate fashion?

19 A. The -- she was not inappropriate in the way she  
20 expressed herself.

21 Q. And I think you also said that, although Krystal  
22 Mountaine didn't say this, you felt that perhaps there  
23 was a greater tendency to be violent because of the  
24 issue. What did you mean by that?

25 A. The fact that she both did call regarding what is

1           recognized as being a volatile issue and then in closing  
2           comments also did suggest the possibility of action that  
3           I can see was only mentioned for the sake of  
4           intimidation.

5    Q.   And that action that you refer to was attending your  
6           church to picket or to attend morning services?

7    A.   Yes.

8    Q.   And you told her that she was welcome to attend morning  
9           services so long as she acted in a manner appropriate to  
10          a public worship service?

11   A.   I felt like that was an appropriate response on my part.

12   Q.   And was that an accurate response?

13   A.   Everyone is welcome to attend public worship services.

14   Q.   And this is -- this issue, same-sex marriage or the  
15          sanctity of marriage, is an issue that you feel strongly  
16          about.

17   A.   It is.

18   Q.   Do you have a greater tendency to be violent because of  
19          the issue?

20   A.   No.

21   Q.   It's an issue that you care about.

22   A.   Yes.

23   Q.   And you're willing to express your views about.

24   A.   Yes.

25   Q.   But not necessarily one that you're going to be more



1 violent about because of that.

2 A. Correct.

3 MR. STAFFORD: That's all I have.

4

5 EXAMINATION

6 BY MR. PIDGEON:

7 Q. I have a couple of follow-up --

8 A. Okay.

9 Q. -- questions, Pastor Redac.

10 Have you ever seen any videos or any news reports  
11 of transgendered individuals entering a church service  
12 in protest?

13 A. I have seen video of those who entered a church in the  
14 state of Michigan over this issue. Whether they were  
15 transgender individuals or not I don't know  
16 specifically.

17 Q. Can you tell us what you saw on the video, what the  
18 basic tenor of it was.

19 A. The -- this group of individuals entered the church with  
20 evident specific -- well, I guess I don't -- I can't say  
21 what their intent was initially. But what the video  
22 showed is them being very disrespectful and disruptive  
23 to the service going forward, interrupting the person  
24 who was leading the service, and using that forum to be  
25 able to communicate -- and I guess I'm not remembering

1 the exact content, but certainly it was to bolster  
2 their -- to speak against the church's public position  
3 regarding the homosexual issue.

4 Q. Do you know whether these persons were men dressed up as  
5 women during the course of this?

6 A. I'm not recalling.

7 Q. Did you ever see a video of men dressed up as nuns  
8 demanding Communion in a Catholic church?

9 A. No.

10 Q. Were you familiar with any of the events that took place  
11 in California concerning Proposition 8?

12 A. I'm aware of the issue there and aware in a broad -- in  
13 a general way of news reports, but I did not watch any  
14 video footage.

15 Q. Were you aware of any acts of violence that had taken  
16 place in California concerning that proposition?

17 A. Not specifically.

18 Q. Do you know of any pastors in California that were  
19 involved in that?

20 A. I'm not personally familiar with any. I do realize that  
21 pastors in a very broad range -- many pastors were  
22 involved in opposing that legislation.

23 Q. Now, you mentioned that you've been in Arlington for 18  
24 years; is that correct?

25 A. Yes.

1 Q. Now, when you first came to [Redacted], how would you  
2 describe the character of the town? I mean, was it a  
3 highly rural town at that point?

4 A. It definitely was.

5 Q. And what would you describe its condition now? Is it  
6 still pretty much rural?

7 A. The population has probably tripled since that time, so  
8 that it is -- well, just more densely populated, not --  
9 I wouldn't call it rural at all.

10 Q. It's more semirural, maybe?

11 A. Small town.

12 Q. Small town, okay.

13 Now, have you spoken on positions -- you mentioned  
14 that you've spoken on positions concerning birth  
15 control. Have you also spoken out on issues of abortion  
16 in the church?

17 A. Yes.

18 Q. Have you spoken out on issues of divorce in the church?

19 A. Yes.

20 Q. Have you spoken out on issues of drug abuse and  
21 alcoholism in the church?

22 A. Yes.

23 Q. Have you spoken on issues of gambling in the church?

24 A. Yes.

25 Q. Have you ever been threatened from anybody supporting

1 the gambling position?

2 A. No.

3 Q. Have you ever been threatened from anybody supporting an  
4 alcoholic's right to drink?

5 A. No.

6 Q. Have you ever been threatened or harassed by anybody  
7 supporting a drug user's right to use drugs?

8 A. No.

9 Q. Have you ever been approached or threatened or harassed  
10 by anybody supporting a person's right to get divorced?

11 A. No.

12 Q. How about on the issue of abortion? Have you ever been  
13 threatened or harassed by a person giving (sic) the  
14 issue of abortion?

15 A. No.

16 Q. So other than the one confrontation you had inside the  
17 church concerning birth control, the only other  
18 harassing or threatening incident that you can point to  
19 is this from Krystal Mountaine?

20 A. Yes.

21 Q. Now, looking at Exhibit 8 again for a minute, going back  
22 to this July 27th phone call, you heard this phone call;  
23 correct?

24 A. Yes.

25 Q. Now, this woman, did she speak with a female voice or

1 was it a man's voice you were hearing?

2 A. It was a man's voice.

3 Q. Was it a high tenor voice or a low baritone voice?

4 A. It was not a high voice. It was what I would just  
5 consider a normal male voice tone.

6 Q. Normal male voice, okay.

7 Now, do you know why Krystal Mountaine referenced  
8 the fact that he had been in special forces?

9 A. I can only presume that it was to heighten the threat  
10 that I should perceive.

11 Q. Well, what does special forces mean to you?

12 A. People who are trained in doing harm, you know, special  
13 tactics to be able to carry out killing missions.

14 Q. So would somebody in special forces, for instance, have,  
15 say, a lower threshold towards the notion of killing a  
16 human being, in your view?

17 A. That would be my understanding.

18 Q. Would it be your expectation that they had been trained  
19 in how to kill in hand-to-hand combat?

20 A. Yes.

21 Q. Would it be your understanding that they would also have  
22 weapons specialties?

23 A. Yes.

24 Q. Possibly sniping capability?

25 A. Yes.

State Objects: Witness lacks foundation for the testimony;  
hearsay.

1 Q. So if a person said they'd been in special forces, did  
2 all of those things factor into your consideration of  
3 who this person was on the phone?

4 A. Yes.

5 Q. And then the person said -- now, did the calmness of the  
6 caller's voice further intimidate you or threaten you?  
7 Would you have been less threatened if the caller had  
8 been screaming at you?

9 A. I would have been more intimidated if there was yelling.

10 Q. Screaming?

11 A. And screaming.

12 Q. And then -- so did you perceive, then, that this man who  
13 said he -- and by the way, what does it mean when this  
14 man tells you that he's transgendered to you? What does  
15 that mean to you?

16 A. My perception would be that it's somebody who has  
17 undergone even a sex change.

18 Q. A sex-change operation.

19 A. Sex-change operation.

20 Q. So in your opinion, this was not just a man who was  
21 cross-dressing; is that correct?

22 A. Yeah. And that's my perception. Maybe my definitions  
23 are inappropriate.

24 Q. Did he identify himself as transgendered?

25 A. I'm -- I can only assume that was the case because of my

1 notes. I don't recall exactly how the caller may have  
2 expressed that.

3 Q. So you don't know whether or not Krystal Mountaine has  
4 actually undergone surgery for this condition.

5 A. I do not.

6 Q. So it is possible that Krystal Mountaine could have been  
7 a muscular, well-trained special-forces operative.

8 MR. STAFFORD: Objection; speculation.

9 A. That's possible.

10 Q. (by Mr. Pidgeon) Did you consider that this person  
11 might have been a -- you know, a large-scale person,  
12 large-size person?

13 A. I didn't dwell on it.

14 Q. Now, when Krystal Mountaine was referring to a number of  
15 friends, did you have any idea who these friends would  
16 be?

17 A. I could only assume that they were individuals who  
18 shared the same convictions as well as a desire to  
19 communicate their hostility toward others who would wish  
20 to hold an opposing position.

21 Q. And so when Krystal Mountaine said that these friends  
22 would picket the church, did you envision a scene like  
23 what you had seen in that video in Michigan taking place  
24 in your church?

25 A. I considered that possibility.

1 Q. And so when you invited Krystal Mountaine to attend a  
2 morning service, you did put a cautionary note to that  
3 invitation, did you not?

4 A. Yes.

5 MS. EGELER: Objection; leading.

6 MR. PIDGEON: Let me ask the question again.

7 Q. (by Mr. Pidgeon) Did you put a cautionary note to your  
8 invitation to Krystal Mountaine?

9 A. Yes. And I believe that I've expressed that when I said  
10 that it was important that any who come conduct  
11 themselves in a way that's appropriate to public worship  
12 services. And I expressed that specifically because of  
13 my concern that their presence -- that -- might deport  
14 themselves differently than that.

15 Q. So your concern here at this point -- and let me see if  
16 I can get to your general -- was it your general  
17 understanding at the time that what was being conveyed  
18 to you by Krystal Mountaine was a threat of disruption  
19 at the church?

20 A. I thought that at the very least, it would be for the  
21 purpose of intimidation, to influence people away from  
22 being involved in signing the R-71 petition, if not  
23 disruption itself. Considered that disruption was also  
24 a possibility, but at the least intimidation.

25 Q. What's the average age of your congregation there in



1           Redacted ?

2       A.     Oh, probably 40. But we have a broad range, from the  
3             youngest to the oldest.

4       Q.     You do.

5             So you have a full range of families and so forth?

6       A.     Yes.

7       Q.     So you wouldn't say it's a skewed demographic to any  
8             particular age group.

9       A.     No.

10      Q.     But it is a small-town church; is that correct?

11      A.     It is.

12      Q.     What's the size of the membership there?

13      A.     We have a Sunday attendance of about 250.

14      Q.     Now, let me ask you this: This is a Redacted church; is  
15             that correct?

16      A.     Correct.

17      Q.     And are you familiar with the ordainment of open  
18             homosexual pastors in certain groups of the Redacted  
19             church?

20      A.     Yes.

21      Q.     What is your position on that?

22      A.     We oppose ordaining of homosexual pastors and are  
23             distinct from the church body that has approved that.

24      Q.     So you're part of this Redacted ?

25      A.     We are part of the Redacted

1           Redacted .

2       Q.     And that is distinct from the operation out of

3           Redacted ; is that correct?

4       A.     Yes, an entirely separate church body.

5       Q.     Is that issue creating a schism within the church?

6       A.     Within our church body?

7       Q.     Right.

8       A.     No. We have a stated position opposing practice of  
9           homosexuality and ordaining of homosexual pastors.

10      Q.     Now, there's just a couple more questions I just want to  
11           ask before we wrap this up.

12                 But the -- at the rally in Olympia where you said  
13           you opened with prayer --

14      A.     Yes.

15      Q.     -- do you recall the Scripture passage, if my people who  
16           are called by my name? Do you recall that passage?

17      A.     Yes, I do.

18      Q.     Do you know what passage that is?

19      A.     2 Chronicles 7:14.

20      Q.     And what is the actual Scriptural cite, do you remember?

21      A.     The wording?

22      Q.     Yeah.

23      A.     If my people who are called by my name will humble  
24           themselves and pray and turn from their wicked ways -- I  
25           think I missed a phrase -- then will I hear from heaven,

1 will forgive their sins and heal their land.

2 Q. Now, that phrase in your mind applies to which group of  
3 people?

4 A. It applies to those who are in God's family, who trust  
5 in Jesus as their savior, have become Christian, and God  
6 is calling upon them that verse for a life change as the  
7 means, then, by which He is able to be freed to do the  
8 work that He desires to do in our culture and through  
9 the world.

10 Q. And then what do you find is the Scriptural basis that  
11 does not provide for homosexual marriages?

12 A. I would think of -- Romans 1 speaks in opposition to  
13 homosexuality, 1 Corinthians Chapter 6 is another place,  
14 and also even from the book of Genesis, where God  
15 ordained marriage. He said there was -- they're one man  
16 and one woman. The man should leave his father and  
17 mother and cleave to his wife and the two will become  
18 one flesh. And Jesus cited that institution of marriage  
19 also in Matthew 19.

20 Q. So you're opposed, then, to polygamy, would that be the  
21 case?

22 A. Yes.

23 Q. Even though there's plenty of Scriptural references to  
24 polygamous marriages, right?

25 A. Yes.

1 Q. With, for instance, Jacob and -- Jacob Israel or David  
2 or Solomon and his thousand wives?

3 A. Correct.

4 MS. EGELER: I'm going to object to this line of  
5 questioning; it is not relevant, nor is it responsive to  
6 what was asked earlier.

7 Q. (by Mr. Pidgeon) And I just wanted to explore the  
8 Scriptural basis.

9 Let me ask you one other thing. Do you know of  
10 pastors anywhere in the United States or around the  
11 world that have been prosecuted for relying (sic) or  
12 otherwise stating Romans 1 in public?

13 A. I have read news reports of those who have been arrested  
14 in Canada as well as European countries.

15 MR. PIDGEON: Okay, I don't have anything further.

16

17 FURTHER EXAMINATION

18 BY MS. EGELER:

19 Q. Pastor, is it your understanding that transgender  
20 individuals are homosexual?

21 A. Yes.

22 Q. And what's your understanding of the U.S. Government's  
23 position on gays in the military?

24 A. There has been a don't ask, don't tell position since  
25 the time of President Clinton, I understand, in which

1           there was not to be an acting out of homosexuality in  
2           the military.

3    Q.    Do you think a man who had undergone an operation to  
4           become a woman or was dressing as a woman and was  
5           homosexual would be welcome in the United States  
6           military?

7    A.    It would be my perception that he would not be.

8    Q.    Pastor, how tall are you?

9    A.    Six one.

10   Q.    And would it be fair to say that you're a very soft-  
11          spoken man?

12   A.    Yes.

13   Q.    And have you ever met a short person with a deep voice?

14   A.    I'm sure that I have.  I'm not recalling a specific  
15          individual right now.

16   Q.    So is it fair to say that one cannot determine someone's  
17          height by listening to the sound of their voice on the  
18          telephone?

19   A.    Correct.

20   Q.    So you didn't know how tall Krystal Mountaine might be?

21   A.    No.

22   Q.    Did the name Krystal Mountaine strike you as silly or  
23          goofy for any reason?

24   A.    Yes, because of the male voice associated with the  
25          female name.

1 Q. And did it strike you that Krystal Mountaine sounded a  
2 bit like Crystal Mountain?

3 A. No.

4 Q. When you told Krystal Mountaine that, if she brought  
5 people to the church, that they would be welcome but  
6 would need to conduct themselves in an appropriate way,  
7 what was her response?

8 A. As I note, I was assured that that would be the case.

9 Q. Have you ever publicly endorsed any sort of political  
10 campaign regarding the issue of divorce between a man  
11 and a woman?

12 A. No.

13 Q. Have you ever contributed to a campaign regarding  
14 divorce between men and women?

15 A. No.

16 Q. Have you ever prayed at or attended a rally regarding  
17 the issue of divorce between a man and a woman?

18 A. No.

19 Q. How about with respect to birth control? Have you ever  
20 endorsed publicly a position regarding birth control  
21 with respect to a political issue?

22 A. No.

23 Q. Have you ever publicly contributed to any group that was  
24 espousing your position with respect to birth control?

25 A. No.

1 Q. Have you ever prayed or attended a rally concerning  
2 birth control?

3 A. No.

4 Q. Have you ever endorsed publicly a political issue  
5 regarding gambling?

6 A. No.

7 Q. Have you ever prayed or attended a rally regarding  
8 gambling?

9 A. No.

10 Q. Have you ever contributed to any cause regarding  
11 gambling?

12 A. No.

13 Q. Same questions with respect to alcohol and drugs: Have  
14 you ever endorsed a political issue regarding alcohol or  
15 drugs?

16 A. No.

17 Q. Ever contributed money to any group that espouses a  
18 position with respect to alcohol or drugs?

19 A. No.

20 Q. You ever prayed or attended a rally regarding issues  
21 surrounding alcohol and drugs?

22 A. No.

23 Q. With respect to abortion, have you ever publicly  
24 endorsed a political position regarding the issue of  
25 abortion?

1 A. Yes.

2 Q. Can you tell me about that.

3 A. We -- I publicly opposed the recently adopted health-  
4 care legislation because of provisions that would allow  
5 for public funding of abortion.

6 Q. Was that a federal issue?

7 A. Yes.

8 Q. And what year was that?

9 A. Just in this last year.

10 Q. Was your name listed on any Web sites or blogs as  
11 supporting this cause --

12 A. No.

13 Q. -- with respect -- okay.

14 Did you contribute any money to the issue?

15 A. I have contributed regularly over the years to pro-life  
16 organizations. I do not believe that I contributed  
17 anything specifically to -- that would relate to the  
18 health care -- opposing the health-care legislation.

19 Q. And when you contributed to pro-life organizations, were  
20 they federal organizations?

21 A. Both state and national.

22 Q. Can you tell me the names of those organizations.

23 A. Human Life of Washington, National Right to Life,  
24 Lutherans for Life.

25 Q. And which of those are state organizations?



1 A. Human Life of Washington.

2 Q. And what state issue did Human Life of Washington become  
3 engaged in?

4 A. They, I believe, are more of an educational  
5 organization, so they would not have put their name to  
6 any specific piece of legislation.

7 Q. And National Right to Life, I assume, is a national  
8 organization?

9 A. Yes.

10 Q. Do you recall how much you've contributed?

11 A. I do not.

12 Q. Do you know how much you've contributed to Human Life of  
13 Washington?

14 A. I don't know.

15 Q. Do you know if it was \$25 or more?

16 A. I'm imagine -- over the course of time, it was likely  
17 \$25 or more.

18 Q. Can you state with certainty that each of your  
19 contributions was \$25 or more?

20 A. I can't.

21 Q. So they may have been less than 25.

22 A. They may have been.

23 Q. And National Right to Life, do you know the amount of  
24 your individual contributions?

25 A. I don't. In fact, I think it's been some time since

1 I've contributed to them.

2 Q. Do you know whether you would have contributed in a  
3 single contribution at any point more than \$25?

4 A. I don't know.

5 Q. How about Lutherans for Life? Is that a national  
6 organization?

7 A. It is.

8 Q. And individual contributions to Lutherans for Life, do  
9 you know if you've made any contribution of \$25 or more?

10 A. I don't recall.

11 Q. So do you know if any of your contributions are  
12 something that someone could learn of through public  
13 documents?

14 A. I don't know.

15 Q. Did you know that the Public Disclosure Commission does  
16 not publicly report contributions of under \$25?

17 A. I didn't know that.

18 Q. Have you endorsed any of those three groups or any other  
19 group regarding abortion through any means that would  
20 allow people to publicly access Web sites or other  
21 databases to determine your support?

22 A. I have publicly made people aware of Lutherans for Life  
23 in particular, if that's what you're asking.

24 Q. And where did you publicly do that?

25 A. In the context of our congregation and its worship.

1 Q. Did you ever do so outside the church?

2 A. I don't think I've had occasion to.

3 Q. Did you ever attend any rallies or public events  
4 regarding the issue of abortion?

5 A. I've attended Walk for Life at Olympia --

6 Q. And when was --

7 A. -- at least on one occasion.

8 Q. When was that?

9 A. Taxing my memory again and my nonexistent -- I believe I  
10 went to the life rally in Olympia two years ago.

11 Q. And was there some legislative issue that was pending  
12 that this rally concerned?

13 A. No. There's a rally that takes place in Olympia every  
14 January to commemorate the Roe v. Wade decision of the  
15 Supreme Court, 1973.

16 Q. So it's not to advocate any pending piece of  
17 legislation?

18 A. Not specifically.

19 Q. And have you spoken publicly anywhere else with regard  
20 to abortion?

21 A. Not that I'm recalling.

22 Q. Have you been quoted in the media with respect to your  
23 position on abortion?

24 A. I don't believe so.

25 Q. So how would someone outside your church become aware of

1 your position on abortion?

2 A. Possibly through conversations with members of our  
3 congregation.

4 Q. Is that the only way?

5 A. Our national church body also has a position statement  
6 regarding abortion, so a person could surmise my  
7 position because I am a member pastor of that national  
8 church body.

9 Q. And again, the national church body you're talking about  
10 is not the -- for lack of a better word, the --

11 A. It's not the Redac.

12 Q. Thank you.

13 And that's -- can you say what the Redac is.

14 A. Redac? The Redacted is a  
15 church body that has approved of abortion and  
16 homosexuality.

17 Q. And it's not that group.

18 A. It is not that church body.

19 Q. People get confused about those church bodies?

20 A. To a person who simply sees the title Redacted, yes.

21 Q. It's confusing whether it's the evangelical or the --

22 A. Or a church -- or a Redacted church body that does not  
23 hold the same stand on those issues.

24 Q. Is that a common question that you get from people?

25 A. Yes.

1 Q. You said that you saw some -- a video from the state of  
2 Michigan. Do you remember what year that video was  
3 made?

4 A. I viewed it, to the best of my recollection, sometime  
5 during 2009.

6 Q. Who showed you that video?

7 A. I watched it on my own computer.

8 Q. And who told you how to access that video?

9 A. I imagine that I received some type of an Email alert  
10 that made reference to it.

11 Q. Who would have sent you that Email alert?

12 A. I don't recall.

13 Q. Could it have been Larry Stickney?

14 A. Likely not. It was probably another organization.  
15 Could have been the American Family Association, AFA.

16 Q. Do you know when the video was taken?

17 A. I believe that I saw it soon after it was taken. Again,  
18 with my just guessing, that it would have been an event  
19 that took place sometime in early 2009.

20 Q. Do you know what the issue was in the Michigan church  
21 other than homosexuality generally?

22 A. No.

23 Q. So you don't know whether it was related to domestic  
24 partnership?

25 A. No.

1 Q. You stated that you're aware of pastors in the state of  
2 California that opposed permitting same-sex partners to  
3 enter a domestic partnership; is that right?

4 A. Yes.

5 Q. Are you aware that there are pastors in the state of  
6 California that took the opposite position and favored  
7 permitting same-sex partnerships?

8 A. Yes.

9 Q. Are you aware of any Christian clergy or Jewish or  
10 Muslim leaders in the state of Washington who were in  
11 favor of domestic partnership?

12 A. I'm aware that there are. I don't know of those  
13 individuals personally.

14 MS. EGELER: Okay. Okay, I have no further  
15 questions.

16 MR. PIDGEON: I have just a couple of follow-ups --  
17 go ahead.

18 MR. STAFFORD: Just a couple for me as well.

19

20 FURTHER EXAMINATION

21 BY MR. STAFFORD:

22 Q. We talked about Romans 1 a little bit and you hearing of  
23 church leaders in Canada and Europe who had been  
24 prosecuted for discussing Romans 1 in public. Do you  
25 know of any such church leaders in the United States who

1 have been prosecuted --

2 A. I do not.

3 Q. -- for that?

4 And would that be because of the First Amendment in  
5 the United States?

6 A. Yes.

7 Q. And people having a right to speak their views and  
8 express their opinions?

9 A. Yes.

10 Q. And is one of the things that one can do under the First  
11 Amendment picket another organization?

12 A. Yes.

13 Q. Have you ever picketed a group because of disagreement  
14 over its views?

15 A. Yes.

16 Q. And could you tell us about that. When was that?

17 A. I have picketed abortion clinics.

18 Q. And more than one abortion clinic?

19 A. Two.

20 Q. And when was that that you picketed?

21 A. Peoria, Illinois, sometime in the span of 1988 to '92.  
22 Not continuously during that time, but that's the time  
23 that I lived in Illinois.

24 Q. And about how many times did you attend a picket at the  
25 clinic?

1 A. Half dozen, six times.

2 Q. And how about the other clinic?

3 A. Marysville, Washington.

4 Q. And when was that?

5 A. September -- I have to think about dates -- 10th,  
6 2000 --

7 Q. September 10th?

8 A. Yes, 2010.

9 Q. And was that the only time you had picketed that  
10 particular clinic?

11 A. Yes.

12 Q. And was it, in your mind or in your view, a threat to  
13 the people in the clinic that you were picketing?

14 A. I didn't make any personal approach to individuals, so  
15 I -- my perception would be that they would not have  
16 thought of it as a threat.

17 Q. And you also mentioned what the phrase "special forces"  
18 meant to you. Do -- any of your parishioners, have they  
19 served in the armed forces, to your knowledge?

20 A. Yes.

21 Q. And have you spoken with any of them about their service  
22 in the armed forces?

23 A. Yes.

24 Q. Would you assume that any of those people had been  
25 trained in the use of firearms?



1 A. Yes.

2 Q. And did you perceive during that conversation that them  
3 mentioning they'd been in the armed forces was a threat  
4 to you?

5 A. No.

6 MR. STAFFORD: Thanks. That's all I have.

7 MR. PIDGEON: Okay, I have a little bit of follow-  
8 up.

9

10 FURTHER EXAMINATION

11 BY MR. PIDGEON:

12 Q. What is your knowledge of the First Amendment of the  
13 Constitution?

14 A. That we have freedom of speech and of religious  
15 practice.

16 Q. Are you aware of the current status of the ongoing  
17 jurisprudence concerning the free-practice clause in the  
18 First Amendment?

19 A. Yes.

20 Q. Are you aware of the establishment clause of the First  
21 Amendment?

22 A. Yes.

23 Q. Are you aware that the phrase "separation of church and  
24 state" does not appear anywhere in the Constitution?

25 A. Yes, I am aware.

1 Q. Do you know of the 14 individuals that were arrested in  
2 Philadelphia for holding up the Bible at a gay-rights  
3 parade?

4 A. Yes. Now that you mention it, I am familiar with that.

5 Q. What do you know about that particular incident?

6 A. That the people were arrested and yet later, I believe,  
7 were cleared of the charges.

8 Q. Do you know what they had done?

9 A. I'm sorry; I'm not recalling.

10 Q. So you don't know whether or not they were standing on  
11 the sidewalk with picket signs?

12 MS. EGELER: Objection; witness has already  
13 indicated that he does not recall.

14 Q. (by Mr. Pidgeon) You can answer if you want.

15 MS. EGELER: And also objecting with respect to the  
16 leading nature of the question.

17 Q. (by Mr. Pidgeon) Do you know whether or not the  
18 Philadelphia group was picketing the gay-rights parade?

19 MS. EGELER: Objection; leading.

20 MR. PIDGEON: It's not leading.

21 A. Yeah, and I'm sorry; I don't recall the nature of their  
22 activity.

23 Q. (by Mr. Pidgeon) Now, Washington Families Standing  
24 Together, have you had the opportunity to look at the  
25 165 organizations that consist of that group?

1 A. I haven't looked.

2 Q. Do you know whether or not ACORN is a significant factor  
3 in that group?

4 A. I don't know.

5 Q. Do you know if -- which churches are involved in  
6 Washington Families Standing Together?

7 A. I haven't noted that.

8 Q. As to the pastors that are in favor -- oh, let me ask --  
9 let me get a little clarity on this.

10 You indicated -- there was kind of a joint question  
11 the AG asked you here concerning whether or not there  
12 were pastors, imams, and rabbis, I think, people of the  
13 Jewish and Islamic faith, that supported this. Do you  
14 know of pastors locally that are supporting domestic  
15 partnerships?

16 A. I don't know for certain specific individuals.

17 Q. And how about rabbis? Do you know of anybody in the  
18 Jewish faith that is supporting the domestic  
19 partnerships?

20 A. I'm not personally aware of those individuals.

21 Q. So you don't -- you wouldn't be able to distinguish, for  
22 instance, Reform Jews or Orthodox Jews on the position?

23 A. No.

24 Q. And as to imams or any other Islamic religious leader,  
25 do you know of any Islamic religious leader that has

1 taken a position in favor of homosexuality?

2 A. No one that I'm personally acquainted with.

3 Q. Do you know of anyone, even, that's outside of your  
4 personal acquaintance inside the Islamic religion that  
5 has taken a position in favor of homosexuality?

6 A. No.

7 Q. Do you know whether or not under sharia law  
8 homosexuality is punishable by the death penalty?

9 A. I am aware of that.

10 Q. Do you know whether or not Saudi Arabia and Iran use the  
11 death penalty against homosexuals?

12 A. My understanding is that they do.

13 Q. Now, you also mentioned that you took a position -- a  
14 public position that was opposed to the national health-  
15 care plan, the abortion practices in the national  
16 health-care plan; is that correct?

17 A. Yes.

18 Q. Is it your understanding that abortion is paid for with  
19 tax dollars under that health-care plan?

20 A. That's my understanding.

21 Q. Is it your understanding that that's also an issue that  
22 will affect Washington State?

23 A. Yes.

24 Q. Do you know whether or not the Attorney General in the  
25 state of Washington has brought a lawsuit to stop the

1 application of that health-care plan in the state of  
2 Washington?

3 A. I understand that there has been opposition in  
4 Washington, and I wasn't aware that that was from the  
5 Attorney General's Office if that's the case.

6 Q. But you do believe that the national health-care plan  
7 would have a Washington application?

8 A. Yes.

9 Q. Have you received any threats from anybody or any  
10 harassment of any sort from anybody concerning your  
11 position in opposition to the national health-care plan?

12 A. No.

13 MR. PIDGEON: Okay. All right, I have nothing  
14 further.

15 MS. EGELER: I have a few more.

16

17 FURTHER EXAMINATION

18 BY MS. EGELER:

19 Q. Pastor, do you have a mainstream [Redacted] church in your  
20 area, a [Redacted] church that's not of your denomination?

21 A. Yes.

22 Q. And what is the position of that [Redacted] church with  
23 respect to homosexuality?

24 A. I haven't spoken directly to the pastor about it, but  
25 the fact that they comfortably remained within that

1 church body after the decisions of August 2009 leads me  
2 to conclude that they do support homosexual rights and  
3 domestic partnerships.

4 Q. Do you have an Episcopalian church in your area?

5 A. No.

6 Q. Unitarian?

7 A. No.

8 Q. United Church of Christ?

9 A. No.

10 Q. Quaker meeting?

11 A. No.

12 Q. Any other churches in your area that, to your knowledge,  
13 that a church group would support homosexuality at a  
14 national level?

15 A. Not that I'm aware of.

16 Q. Again, with respect to your opposition to the national  
17 health-care bill, other than hearing that from you in  
18 your church, where might I find evidence of that  
19 publicly available?

20 A. Of my opposition?

21 Q. Yes.

22 A. I'm not -- I don't know.

23 Q. Would it be fair to say that I would need to hear that  
24 from you at your church and that there is no other  
25 public opportunity to obtain that knowledge?

1 A. I'm trying to recall if there was any kind of petition.  
2 I believe that that would be the case.

3 Q. When you were picketing outside abortion -- an abortion  
4 clinic in Illinois, do you recall roughly how many  
5 people were with you?

6 A. One to two.

7 Q. Did you carry signs?

8 A. Yes.

9 Q. As women were entering the abortion clinic, did you  
10 attempt to engage them in conversation?

11 A. No.

12 Q. What was on the signs?

13 A. It may have said, abortion kills babies.

14 Q. Do you think you may have had signs depicting any  
15 images?

16 A. No.

17 Q. Do you think that women who saw those signs and were  
18 entering the clinic to obtain an abortion may have  
19 thought from that sign that your position was that they  
20 were going into the building to kill their baby?

21 A. Yes.

22 Q. And in Marysville, how many people were with you?

23 A. Four.

24 Q. Again, did you carry signs?

25 A. Yes.

1 Q. And what did those signs say?

2 A. You think I'd be able to remember. I'm not recalling  
3 right now.

4 Q. Do you think they might have said something like,  
5 abortion kills babies?

6 A. No. It was something like, choose life, but it was not  
7 that.

8 Q. Do you know if any of the signs depicted images?

9 A. The sign that I had had a little baby on it.

10 Q. An aborted baby?

11 A. No.

12 Q. A baby that had been born?

13 A. That's correct.

14 Q. And at each location -- well, let's start with  
15 Marysville. How close would a woman who was going into  
16 the building have come to you physically as she walked  
17 into the building?

18 A. Must be -- we were off the property on roadside. The  
19 distance must be -- at a guess, I'm going to say 80  
20 feet.

21 Q. Did the people with you in Marysville or yourself say  
22 anything to the women as they went into the clinic?

23 A. Yes.

24 Q. What did you say?

25 A. I did not speak, but others engaged people in



1 conversation, encouraged them to keep their baby.

2 Q. And did they make any negative statements about this  
3 being wrong or murder?

4 A. No.

5 Q. And when they engaged people in conversation, how close  
6 were they to the individual?

7 A. Within close speaking distance, five feet.

8 Q. Are you aware or have you ever heard of doctors who  
9 perform abortions being shot and killed by those who  
10 oppose abortion?

11 A. Yes.

12 Q. And are you aware or have you ever heard of those who  
13 oppose abortion burning down abortion clinics?

14 A. Yes.

15 Q. Do you think a woman who is walking into an abortion  
16 clinic that you were picketing in Illinois or Marysville  
17 may have felt threatened or harassed?

18 A. It's possible.

19 Q. And do you think that it was inappropriate for you to be  
20 there picketing, holding signs, or engaging people in  
21 conversation because they felt threatened or harassed?

22 A. No.

23 Q. And would that be because you have a First Amendment  
24 right to express your opinion?

25 A. And because of a moral conviction that I have regarding

1 the issue of abortion.

2 MS. EGELER: Okay, no further questions.

3 MR. STAFFORD: Nothing from me.

4 MS. EGELER: Okay. Thank you for coming in this  
5 morning. Appreciate it.

6 THE WITNESS: You're welcome.

7

8 (Whereupon the deposition  
9 concluded at 10:39 a.m.)

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## 1 CERTIFICATE

2 STATE OF WASHINGTON )  
3 )  
4 COUNTY OF SNOHOMISH )

5 I, the undersigned Notary Public in and for the  
6 State of Washington, do hereby certify:

7 That the foregoing is a full, true, and correct  
8 transcript of the testimony of the witness named herein,  
9 including all objections, motions, and exceptions;

10 That the witness before examination was by me duly  
11 sworn to testify truthfully and that the transcript was made  
12 available to the witness for reading and signing upon  
13 completion of transcription, unless indicated herein that the  
14 witness waived signature;

15 That I am not a relative or employee of any party  
16 to this action or of any attorney or counsel for said action  
17 and that I am not financially interested in the said action  
18 or the outcome thereof;

19 That I am sealing the original of this transcript  
20 and promptly delivering the same to the ordering attorney.

21 IN WITNESS WHEREOF, I have hereunto set my hand and  
22 seal this 7th day of October, 2010.

23 \_\_\_\_\_  
24 Notary Public in and for the State of Washington  
25 residing at Edmonds, Washington.  
(Notary expires 3/09/13)  
(CCR No. 2699)

# Exhibit One



Enter Keywords

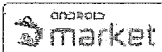
Search

## Corporations Division

[Home](#)[Search](#)[Apostilles](#)[Domestic Partnerships](#)[Awards Program](#)[Public](#)[Notices](#)

Redacted

## NEW! - SEARCH APPS ON MOBILE DEVICES



## ALL CORPORATIONS DATA DOWNLOAD

[Download the whole Corporations search database](#) in XML format. Average file size is 70 Mb compressed, 750 Mb uncompressed.

Neither the State of Washington nor any agency, officer, or employee of the State of Washington warrants the accuracy, reliability, or timeliness of any information in the Public Access System and shall not be liable for any losses caused by such reliance on the accuracy, reliability, or timeliness of such information. While every effort is made to ensure the accuracy of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from the System does so at his or her own risk.

|   |  |   |
|---|--|---|
| <a href="#">Address Confidentiality</a> | <a href="#">Domestic Partnerships</a>  | <a href="#">Medals of Merit &amp; Valor</a> |
| <a href="#">Apostilles</a>              | <a href="#">Elections &amp; Voting</a> | <a href="#">Newsroom</a>                    |
| <a href="#">Archives</a>                | <a href="#">Heritage Center</a>        | <a href="#">Productivity Board</a>          |
| <a href="#">Charities</a>               | <a href="#">International Trade</a>    | <a href="#">State Flag</a>                  |
| <a href="#">Corporations</a>            | <a href="#">Legacy Project</a>         | <a href="#">State Seal</a>                  |
| <a href="#">Digital Signatures</a>      | <a href="#">Library</a>                | <a href="#">Washington History</a>          |

Available RSS Feeds: [News](#) [Blog](#) [More...](#)

[Phone Numbers](#) | [Privacy Policy](#) | [Accessibility](#)

Washington Secretary of State

Ex. 1 Date 9/24/10

Witness

Redacted

Tracey L. Juran, CCR

Redacted

9/21/2010

# Exhibit Two

UPCOMING EVENTS TALKING POINTS DONATE NOW

Home Event Schedule Latest News Talking Points Donate Now Info for Churches Video Endorsements Contact Us

## Preserving Marriage, Protecting Families



### Organization & Community Endorsements

The following organizations and community leaders endorse the campaign to REJECT R-71/SB 5688

Redacted

### Upcoming Events

#### PDF Downloads

R-71 Doorbell Flier  
PAGE 1 - PAGE 2

R-71 Window Sign

#### Latest News

Same-Sex Marriage and the  
Threat to Religious Liberty

Stop the Trojan Horse!

Referendum (71) Sunday and  
other campaign news!

Governor OKs domestic partner  
rights law

#### Press Release

Court Prohibits Release of  
Referendum Petitions

U.S. Supreme Court Returns  
Petition Signing Case to District  
Court

Update on R-71 Supreme Court  
case

Same-Sex Marriage Takes  
Center Stage at the Supreme  
Court

### Like it? Share it!



### Mission

The mission of the new PAC is to organize the effort to gather the **120,577 required signatures** for Referendum 71 by **July 25, 2009** to bring the controversial Senate Bill 5688 before the voters of Washington State in November. SB 5688 is a 110 page document which includes the phrase "**marriage shall apply equally to state registered domestic partnerships**" 180 times.

SB 5688 was packaged and presented to the legislature as a Domestic Partnerships expansion of benefits. **In truth, it will demolish the state's historical understanding and definition of marriage** as that of uniting a man and a woman for life as Washington State will immediately become subject to litigation by same-sex partners demanding that the courts overturn the Defense of Marriage Act and impose "**same-sex marriage**" (as happened recently in California prior to Proposition 8).

Join the growing Protect Marriage Washington coalition by contacting us on this page.

Next >

### Endorsements

State Leaders Support REJECT  
R-71 Effort!

Organization & Community  
Endorsements

Ex. 2 Date 9/24/10

Witness Redacted  
Tracey L. Juran, CCR

Redacted

9/17/2010

# Exhibit Three





HOME PUBLIC RESOURCES FILER RESOURCES SEARCH THE DATABASE VIEW ACTUAL REPORTS ONLINE FILING

CANDIDATES COMMITTEES INDEPENDENT SPENDING ADVANCED SEARCH

ADVANCED SEARCH DETAILED CONTRIBUTIONS

CONTRIBUTIONS EXPENDITURES

NOTE: Click on a column header to sort by that column, or click on the icon to filter your results

Drag a column header and drop it here to group by that column

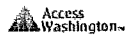
| Report | Name                | Contributor | Date     | Amount   | P/G | Employer | Occupation | Description |
|--------|---------------------|-------------|----------|----------|-----|----------|------------|-------------|
| Report | PROTECT MARRIAGE WA | Redacted    | Redacted | Redacted | N   |          |            |             |
| Report | PROTECT MARRIAGE WA |             |          |          | N   |          |            |             |
| Report | PROTECT MARRIAGE WA |             |          |          | N   |          |            |             |

1

Displaying items 1 - 3 of 3

HOME / PRIVACY NOTICE / EMPLOYMENT / SITE MAP

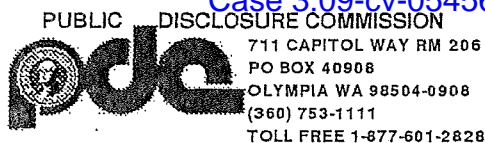
PUBLIC DISCLOSURE COMMISSION / 711 CAPITOL WAY #206 / PO BOX 40808 / OLYMPIA, WA 98504-0908  
TOLL FREE - 1-877-801-2828 / PHONE 360-753-1111 / FAX (360)753-1112 / EMAIL pdc@pdc.wa.gov  
OFFICE HOURS: 8:00AM - 5:00PM Monday - Friday Closed Weekends & State Holidays.



Ex. 3 Date 9/24/10

Witness Redacted  
Tracey L. Juran, CCR

# Exhibit Four



# CASH RECEIPTS MONETARY CONTRIBUTIONS

# C3

(1/02)

THIS SPACE FOR OFFICE USE

100329360

10-14-2009

Candidate or Committee Name (Do not abbreviate. Use full name.)

Protect Marriage Washington

Mailing Address

PO Box 501

City

Zip + 4

Office Sought (candidates)

Election Date

Arlinton, WA

98223

2009

## 1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Ex. 4Date 9/24/10

Redacted

Amount

Total

Witness

Tracey L. Juran, CCR

a. Anonymous .....

b. Candidate's personal funds deposited in the bank (include candidate loans in 1c) .....

c. Loans, notes, security agreements. Attach Schedule L .....

d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....

Various

e. Small contributions \$25.00 or less not itemized and number of persons giving 25 (persons)

649.98

## 2. CONTRIBUTIONS OVER \$25.00

Date  
Received

Contributor's Name, Address, City, State, Zip

Contributions of more than \$100:\*  
Employer's Name, City and StateP  
R  
I  
G  
E  
N

Amount

Aggregate\*  
Total

Redacted

☒ Check here if additional  
pages are attached

Sub-total 1,149.98  
Amount from 7,706.00  
attached pages

\*See reverse  
for details.

TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT

Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

8,855.98

4. Date of Deposit

10/09/09

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature

Date

10-14-2009

Treasurer's Daytime Telephone No.:

## RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)

Page 2Candidate or Committee Name (Do not abbreviate. Use full name.)  
Protect Marriage WashingtonDeposit Date  
10/09/09

## 2. CONTRIBUTIONS OVER \$25.00

| Date Received | Contributor's Name, Address, City, State, Zip | Contributions of more than \$100:*<br>Employer's Name, City and State | P<br>R<br>I | G<br>E<br>N | Amount | Aggregate<br>Total* |
|---------------|---|---|-------------|-------------|--------|---------------------|
| Redacted      |   |   |             |             |        |                     |

Page Total 2,225.00

## RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)

Page 3

Candidate or Committee Name (Do not abbreviate. Use full name.)

Protect Marriage Washington

Deposit Date

10/09/09

## 2. CONTRIBUTIONS OVER \$25.00

| Date Received | Contributor's Name, Address, City, State, Zip | Contributions of more than \$100:*<br>Employer's Name, City and State | P<br>R<br>I | G<br>E<br>N | Amount | Aggregate<br>Total* |
|---------------|---|---|-------------|-------------|--------|---------------------|
|---------------|---|---|-------------|-------------|--------|---------------------|

Redacted

Page Total 1,300.00

## RECEIPTS CONTINUATION SHEET (Attachment to C-3 Form)

Page 4Candidate or Committee Name (Do not abbreviate. Use full name.)  
Protect Marriage WashingtonDeposit Date  
10/09/09

## 2. CONTRIBUTIONS OVER \$25.00

| Date Received | Contributor's Name, Address, City, State, Zip | Contributions of more than \$100:*<br>Employer's Name, City and State | P<br>R<br>I | G<br>E<br>N | Amount | Aggregate<br>Total* |
|---------------|---|---|-------------|-------------|--------|---------------------|
|---------------|---|---|-------------|-------------|--------|---------------------|

Redacted

Page Total 1,996.00

# Exhibit Five



Building Confidence in the Political Process

**Public Disclosure Commission**
[HOME](#)   [PUBLIC RESOURCES](#)   [FILER RESOURCES](#)   [SEARCH THE DATABASE](#)   [VIEW ACTUAL REPORTS](#)   [ONLINE FILING](#)
[CANDIDATES](#)   [COMMITTEES](#)   [INDEPENDENT SPENDING](#)   [ADVANCED SEARCH](#)
**ADVANCED SEARCH DETAILED CONTRIBUTIONS**
[CONTRIBUTIONS](#)   [EXPENDITURES](#)

NOTE: Click on a column header to sort by that column, or click on the icon to filter your results



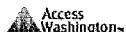
Drag a column header and drop it here to group by that column

| Report | Name                   | Contributor | Date | Amount | P/G | Employer | Occupation | Description |
|--------|------------------------|-------------|------|--------|-----|----------|------------|-------------|
| Report | PROTECT MARRIAGE<br>WA | Redacted    |      |        | N   |          |            |             |
|        |                        |             |      |        |     |          |            |             |

Displaying items 1 - 1 of 1

[HOME](#) / [PRIVACY NOTICE](#) / [EMPLOYMENT](#) / [SITE MAP](#)

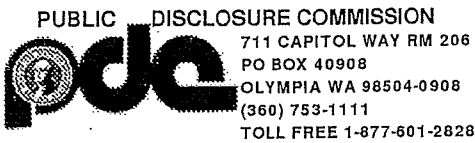
PUBLIC DISCLOSURE COMMISSION / 711 CAPITOL WAY #206 / PO BOX 40908 / OLYMPIA, WA 98504-0908  
 TOLL FREE - 1-877-601-2828 / PHONE 360-753-1111 / FAX (360)753-1112 / EMAIL [pdcc@pdcc.wa.gov](mailto:pdcc@pdcc.wa.gov)  
 OFFICE HOURS: 8:00AM - 5:00PM Monday - Friday Closed Weekends & State Holidays.

Ex. 5 Date 9/24/10Witness Redacted

Tracey L. Juran, CCR



# Exhibit Six



# CASH RECEIPTS MONETARY CONTRIBUTIONS

# C3

(1/02)

THIS SPACE FOR OFFICE USE

100314464

07-06-2009

Candidate or Committee Name (Do not abbreviate. Use full name.)

Protect Marriage Washington

Mailing Address

PO Box 501

City

Zip + 4

Office Sought (candidates)

Election Date

Arlinton, WA

98223

2009

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Ex. 6 Date 9/24/10

| Date Received | Witness  | Redacted | Amount | Total |
|---------------|--|----------|--------|-------|
|               | Tracey L. Juran, CCR   |          |        |       |
|               | a. Anonymous .....   |          |        |       |
|               | b. Candidate's personal funds deposited in the bank (include candidate loans in 1c) .....        |          |        |       |
|               | c. Loans, notes, security agreements. Attach Schedule L .....                                    |          |        |       |
|               | d. Miscellaneous receipts (interest, refunds, auctions, other). Attach explanation .....         |          |        |       |
| Various       | e. Small contributions \$25.00 or less not itemized and number of persons giving _____ (persons) |          | 185.00 |       |

2. CONTRIBUTIONS OVER \$25.00

| Date Received | Contributor's Name, Address, City, State, Zip | Contributions of more than \$100:* | P<br>R<br>I | G<br>E<br>N | Amount | Aggregate*<br>Total |
|---------------|---|------------------------------------|-------------|-------------|--------|---------------------|
|               |   | Employer's Name, City and State    |             |             |        |                     |

Redacted

☒ Check here if additional pages are attached

|                            |          |
|----------------------------|----------|
| Sub-total                  | 1,376.00 |
| Amount from attached pages | 250.00   |

\*See reverse for details.

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT  
Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

1,626.00

4. Date of Deposit

07/03/09

I certify that this report is true and complete to the best of my knowledge

Treasurer's Signature

Date

07-06-2009

Treasurer's Daytime Telephone No.:

# Exhibit Seven

Ex. 7 Date 9/24/10  
 Witness Redacted  
 Tracey L. Juran, CCR

UNITED STATES DISTRICT COURT  
 WESTERN DISTRICT OF WASHINGTON  
 TACOMA DIVISION

JOHN DOE #1, an individual, JOHN DOE #2,  
 an individual, and PROTECT MARRIAGE  
 WASHINGTON,

Plaintiffs,

vs.

SAM REED, in his official capacity as  
 Secretary of State of Washington, BRENDA  
 GALARZA, in her official capacity as Public  
 Records Officer for the Secretary of State of  
 Washington,

Defendants.

No. 3:09-CV-05456-BHS

**DECLARATION OF**  
**Redacted**  
**IN SUPPORT OF MOTION FOR**  
**PRELIMINARY INJUNCTION**

NOTE ON MOTION CALENDAR:  
 September 3, 2009

The Honorable Benjamin H. Settle

I, **Redacted** make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a resident of the state of Washington over 18 years of age, and my statements herein are based on personal knowledge.

2. I have been aware of Referendum 71 since it was filed in Olympia. Although I did not go out and gather signatures, I approved of having the petition available at the church where I am Pastor, so that members of my congregation could sign.

3. On July 27, 2009, I received a phone call at my office from an individual who identified herself as a transgender woman, who had previously been a member of special forces. The caller remained calm, but persistent, in asking why I would want to limit her rights.

Declaration of  
**Redacted**

(No. 3:09-CV-05456-BHS)

1

BOPP, COLESON & BOSTROM  
 1 South Sixth Street  
 Terre Haute, Indiana 47807-3510  
 (812) 232-2434

4. After several statements back and forth, the caller asked how I would like it if a number of her friends were brought to picket the church or to attend a morning service. I responded that the church is open to all who wish to come, but we expect everyone to conduct themselves in a way appropriate to a public worship service. The caller assured me that this would be the case.

5. This caller was reserved in tone, but the spirit of the call was certainly one of challenge to the appropriateness of my stand. The caller also communicated that my opinion justified some kind of retaliatory action on his/her part, so that I - and others who are like-minded - will pay some kind of bad consequence for the expression of our opinions.

6. On August 12, 2009, my secretary received a phone call while I was out of the office. The caller identified herself as Krystal Mountaine, and called from the same number as the caller who called on July 27, 2009. She stated that she would like to talk to the Pastor, and asked to have me call. I have not returned this call.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT.

Executed on: August \_\_\_\_, 2009.

Signed: Redacted

**CERTIFICATE OF SERVICE**

I, Sarah E. Troupis, am over the age of 18 years and not a party to the above-captioned action. My business address is 1 South Sixth Street; Terre Haute, Indiana 47807-3510.

On August @@, 2009, I electronically filed the foregoing document described as Declaration of [Redacted] with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

James K. Pharris  
jamesp@atg.wa.gov  
*Counsel for Defendants Sam Reed and Brenda Galarza*

I declare under the penalty of perjury under the laws of the State of Indiana that the above is true and correct. Executed this @@ day of August, 2009.

---

Sarah E. Troupis  
*Counsel for All Plaintiffs*

# Exhibit Eight

Pastor [Redacted]

From: [Redacted]  
Sent: Wednesday, August 19, 2009 5:24 PM  
To: 'Sarah Troupis'  
Cc: [Redacted]  
Subject: RE: Declaration

Hi Sarah,

I have imbedded my responses in your initial e-mail.

[Redacted]

Ex. 8 Date 9/24/10

Witness [Redacted]  
Tracey L. Juran, CCR

From: Sarah Troupis [mailto:stroupis@bopplaw.com]  
Sent: Wednesday, August 19, 2009 1:03 PM  
To: [Redacted]  
Subject: Declaration

Dear [Redacted]

Thanks for helping us out with a declaration! I just have a few questions to start; as I think I mentioned on the phone, once I start drafting a declaration for your review, I will probably have several others to help flesh out the contents of the declaration.

1. I will need your full name and address. We don't actually put the address in the declaration; we just use that here at the office if we need to get in touch with you.

[Redacted]

2. How have you been involved with Referendum 71? Were you out collecting signatures? Are you working with any groups on it?

**I have been aware of Referendum 71 since it was filed in Olympia. I was not out collecting signatures – though the petitions were available in our church by my approval.**

3. You said you received a couple of phone calls. Could you describe the phone calls for me? Not just the message, but the tone of the caller, when it was received, etc. If you could also tell me any emotional effects from the calls, that would be great.

**The first call was received in my office on July 27, 2009, from an individual who identified herself as a transgender woman who had previously been in special forces. The caller remained calm but persistent in asking why I would want to limit her rights. After some statements back and forth, the caller asked how I would like it if a number of friends were brought to picket the church or to attend a morning service. I responded that the church is certainly open to all who wish to come but that we expect all to conduct themselves in a way appropriate to a public worship service. I was assured that that would be the case.**

**The caller was reserved in tone – however, the spirit was certainly one of challenge to the appropriateness of my stand. The caller certainly also communicated that my stand justified some kind of retaliatory action on his/her part, so that I – and others who are likeminded – will pay some kind of consequence for the expression of our stand.**



The second call was on August 12, 2009, and was received by my secretary while I was out of the office. The call identified herself as Crystal Mountaine and called from the same number as the first phone call. She said that she would like to talk to the Pastor and asked to have me call. I have not returned the call.

4. If you have had any other harassment about R-71, I would like to hear about that, too.

**These are the only instances of harassment we have experienced so far.**

Thanks - and if you have any questions or concerns, please feel free to call or email me!

-Sarah-

Sarah Troupis  
Bopp, Coleson & Bostrom  
1 South 6th Street  
Terre Haute, Indiana 47807

Phone: 812-232-2434  
Fax: 812-235-3685  
E-mail: [stroupis@bopplaw.com](mailto:stroupis@bopplaw.com)